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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

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In re:

AMMON EDWARD BUNDY,  
Debtor.

Bankruptcy No. 24-23530

Chapter 7

Honorable William T. Thurman

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**ST. LUKE'S CREDITORS' MOTION TO COMPEL ARDEN BUNDY'S  
COMPLIANCE WITH RULE 2004 SUBPOENA FOR EXAMINATION AND  
PRODUCTION OF DOCUMENTS**

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St. Luke's Health System, Ltd., St. Luke's Regional Medical Center, Ltd., Chris Roth, Natasha Erickson, M.D., and Tracy Jungman, NP (together the "St. Luke's Creditors"), respectfully move to compel Arden Bundy to comply with a subpoena issued pursuant to Federal Rule of Bankruptcy Procedure 2004 and this Court's Order authorizing the St. Luke's Creditors to issue a deposition and document subpoena to Bundy Industries. Dkt. 380.

## **INTRODUCTION**

On July 17, 2024 (the “Petition Date”), Ammon Edward Bundy (the “Debtor”) filed the above-captioned Chapter 7 case. In 2024, the Debtor’s brother, Arden Bundy, and Arden’s wife, Lydia Bundy set up Bundy Industries LLC (“Bundy Industries”) to operate a business called “Bundy’s Brazilian Steakhouse” in St. George, Utah. The Debtor has a history of using friends and family members to help him conceal assets from St. Luke’s Creditors, and consequently, the St. Luke’s Creditors sought and obtained entry of an order authorizing them to seek information from Arden Bundy related to the Debtor’s assets and pursuant to Rule 2004. Pursuant to that order, the St. Luke’s Creditors issued a subpoena to Arden Bundy requiring his attendance at a 2004 exam and his production of documents. Despite receiving more notice than required, Arden Bundy failed to comply with the subpoena. The St. Luke’s Creditors now ask the Court to compel Arden Bundy’s compliance by ordering him to sit for his Rule 2004 examination and produce documents responsive to the subpoena.

## **JURISDICTION**

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1334 and 157. This Motion concerns the administration of the estate and therefore is a core proceeding pursuant to 28 U.S. C. § 157(b)(2)(A). Venue is proper in this Court pursuant to 28 U.S. C. §§ 1408 and 1409.

## **STATEMENT OF FACTS**

2. On February 13, 2025, St. Luke’s Creditors filed a Motion for Examination Under Rule 2004 of Arden Bundy. Dkt. 375.

3. As set forth in the motion, the Debtor likely has undisclosed assets or transferred such assets to third party-entities prepetition. *Id.* St. Luke's Creditors also have information suggesting Debtor may have concealed property by transferring it to family members, including Arden. *Id.*

4. Arden Bundy is the Debtor's brother. *See* Declaration of Erik Stidham in Support of Motions to Compel Lydia Bundy's d/b/a Bundy Brazilian Steakhouse's, Arden Bundy's and Bundy Industries LLC's Compliance with Rule 2004 Subpoenas for Examinations and Production of Documents ("Stidham Decl."), ¶ 6, filed concurrently. Arden Bundy is married to Lydia Bundy. *Id.* Lydia Bundy testified that the business she and her husband run, Bundy Brazilian Steakhouse, is run through a corporate entity, Bundy (or Bundy's) Industries. *Id.*, Ex. B at 7-9. She further testified that she and her husband put together the corporate documents related to the business. *Id.*

5. Prepetition, the Debtor developed a history of using family members and close friends or affiliates to shield his assets from collection efforts by St. Luke's Creditors. Dkt. 375, ¶ 12. As such, St. Luke's Creditors have an interest in examining Arden Bundy about the Debtor's transactions or dealings with Arden Bundy and any businesses owned, ran, or is affiliated with Arden Bundy. *Id.*

6. On February 14, 2025, the Court granted the Motion for Examination Under Rule 2004. Dkt. 380.

7. On February 17, 2025, St. Luke's Creditors filed a Notice of Intent to Serve Subpoena on Arden Bundy. Dkt. 385.

8. On February 18, 2025, St. Luke's Creditors served the subpoena to Arden Bundy via U.S. Mail to 850 S. Bluff St., St. George, Utah 84770. Stidham Decl., ¶ 8, Ex. C. The address

used is the same address previously used to serve Lydia Bundy, Arden's wife. *See id.*, ¶ 4, Ex. A. The subpoena required Arden Bundy's attendance at a Rule 2004 examination in St. George on March 5, 2025, and required production of documents as described in the subpoena's Exhibit A on that same date. *Id.*, ¶ 8, Ex. C.

9. On February 18, 2025 and March 3, 2025, Counsel for St. Luke's Creditors also emailed Arden Bundy notice attaching the subpoena, its requirements, and the setting for his oral examination. *Id.*

10. St. Luke's Creditors' counsel prepared for the examination, travelled from Boise to St. George for the examination, and arranged for a videographer and court reporter to attend and make a record of the examination. *Id.*, ¶ 13.

11. Despite receiving service or process and multiple email reminders, Arden Bundy failed to appear for his examination on March 5, 2025. *Id.*, ¶¶ 10; 16. As of the date of this Motion, Arden Bundy has not produced documents responsive to the subpoena. *Id.* ¶ 17.

### **ARGUMENT**

12. The Court has authority to compel Arden Bundy's compliance with the Rule 2004 subpoena pursuant to Rules 2004(d) and 9016, which adopts Federal Rule of Civil Procedure 45, and Rule 7037, which adopts Federal Rule 37. *See also*, Fed. R. Bank. P. 9014(c) (Rule 7037 applies in contested matters).

13. Here, the subpoena required Arden Bundy to attend a Rule 2004 examination on March 5, 2025, and to produce documents at the time of the examination. Relying on the subpoena, the St. Luke's Creditors' counsel prepared for the examination, travelled from Boise to St. George for the examination, and arranged for a videographer and court reporter to attend the examination.

Arden Bundy did not appear for the examination and has failed to produce any documents as of the date of this Motion. Correspondingly, Arden Bundy should be compelled to produce the requested documents and to attend the requested examination.

### **CONCLUSION**

WHEREFORE, the St. Luke's Creditors ask the Court to Compel and order Arden Bundy to produce the documents requested within 10 days of service of an order granting the Motion and sit for a Rule 2004 examination within 20 days of service of an order granting the Motion.

DATED this 15th day of April, 2025.

HOLLAND & HART LLP

/s/ Erik F. Stidham

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As local counsel

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Tracy Jungman, NP

### CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2025, I electronically filed the foregoing with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF user.

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AND I FURTHER CERTIFY that on such date I served the foregoing on the following non-CM/ECF Registered Participants by First Class U.S. Mail, with postage prepaid, addressed as follows:

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